

FORM PTO-1390  
REV. 5-93US DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEYS DOCKET NUMBER

**P05,0429**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/561,549**INTERNATIONAL APPLICATION NO.  
**PCT/EP2004/006926**INTERNATIONAL FILING DATE  
**25 June 2004**PRIORITY DATE CLAIMED  
**25 June 2003**

TITLE OF INVENTION

**METHOD AND DEVICE FOR TRANSPORTING TONER MATERIAL, PREFERABLY IN AN ELECTROPHOTOGRAPHIC PRINTER  
OR COPIER**

APPLICANT(S) FOR DO/EO/US

**Martin ZEHEBTAUER and Bernd HAUSMANN**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **EXECUTED DECLARATION**
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ A Supplemental Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report).
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - a. ☒ **EXPRESS MAIL #EV 362546125 US dated September 28, 2006.**
  - b. ☐
  - c. ☐

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/561,549		INTERNATIONAL APPLICATION NO. PCT/EP2004/006926		ATTORNEY'S DOCKET NUMBER P05,0429	
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17. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b> Search Report has been prepared by the EPO or JPO ..... \$900.00 (Includes National Stage, Search, and Examination Fees)  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				CALCULATIONS		PTO USE ONLY	
				\$130.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).				\$130.00			
Claims	Number Filed	Number Extra	Rate				
Total Claims		0	X \$50.00	\$			
Independent Claims		0	X \$200.00	\$			
Multiple Dependent Claims			\$300.00 +				
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130.00			
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28)							
<b>SUBTOTAL =</b>				\$130.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+			
<b>TOTAL NATIONAL FEE =</b>				\$130.00			
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property				+			
<b>TOTAL FEES ENCLOSED =</b>				\$130.00			
				Amount to be refunded			
				charged			

  

a. ☒ A check in the amount of \$130.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 501519. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

**Schiff Hardin LLP**  
**Patent Department**  
**6600 Sears Tower**  
**Chicago, Illinois 60606-6473**  
**Customer Number 26574**

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**Brett A. Valiquet**  
**NAME**

\_\_\_\_\_  
**27,841**  
**Registration Number**

CH1\ 4694048.1

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,549	Martin Zehentbauer	P05,0429

26574  
 SCHIFF HARDIN, LLP  
 PATENT DEPARTMENT  
 6600 SEARS TOWER  
 CHICAGO, IL 60606-6473

INTERNATIONAL APPLICATION NO.	
PCT/EP04/06926	
I.A. FILING DATE	PRIORITY DATE
06/25/2004	06/25/2003

CONFIRMATION NO. 9356

371 FORMALITIES LETTER



\*OC000000020491978\*

Date Mailed: 09/19/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/20/2005
- English Translation of the IA filed on 12/20/2005
- Copy of the International Search Report filed on 12/20/2005
- Preliminary Amendments filed on 12/20/2005
- Information Disclosure Statements filed on 12/20/2005
- Request for Immediate Examination filed on 12/20/2005
- U.S. Basic National Fees filed on 12/20/2005
- Priority Documents filed on 12/20/2005

**RECEIVED**

SEP 26 2006

SCHIFF HARDIN, LLP  
 U.S. PATENT DEPT.

11/14/06 BAN

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

• \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,549	PCT/EP04/06926	P05,0429

**CERTIFICATION OF MAILING**

"Express Mail" Mailing Label Number **EV 362546125 US**

Date of Deposit: September 28, 2006

I hereby certify that this correspondence is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, **MAIL STOP PCT**, P.O. Box 1450, Alexandria VA 22313-1450.

**Martin Zehentbauer and Bernd Hausmann**

PCT Application entitled: METHOD AND DEVICE FOR TRANSPORTING TONER MATERIAL, PREFERABLY IN AN ELECTROPHOTOGRAPHIC PRINTER OR COPIER

Our Case No. P05,0429 (26970-0399)

Transmittal Form in Duplicate

Executed Declaration

Copy of Notice

Executed Assignment – Separate Envelope – Form 1595 - \$40.00

Postcard

\$130.00

Signature of person mailing application and fee

CH1\ 4314971.1

